

Mark R. Figueiredo, Esq. (State Bar No. 178850)  
Jaclyn M. Ford, Esq. (State Bar No. 272641)  
STRUCTURE LAW GROUP, LLP  
1754 Technology Drive, Suite 135  
San Jose, California 95110  
Telephone: (408) 441-7500  
Facsimile: (408) 441-7501  
mrf@structurelaw.com  
jford@structurelaw.com

Attorneys for Plaintiff  
VIVOTEK USA, INC.

Richard J. Mooney, Esq. (State Bar No. 176486)  
RIMON P.C.  
One Embarcadero Center #400  
San Francisco, CA 94111  
Telephone: (415) 683-5472  
richard.mooney@rimonlaw.com

Attorneys for Defendants  
4XEM CORPORATION, INC. and JOHN  
FORTIER

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

VIVOTEK USA, INC., a California  
corporation,

Plaintiff,

v.

4XEM CORPORATION, INC.,  
incorporated under the laws of Canada; and  
JOHN FORTIER, an individual, doing  
business as 4XEM USA,

Defendants.

CASE NO. CV 13-04452 MEJ

**AMENDED NOTICE OF CONDITIONAL  
SETTLEMENT AND ~~PROPOSED~~ ORDER**

**TO THE COURT:**

The parties to the above-entitled action jointly submit this AMENDED NOTICE OF CONDITIONAL SETTLEMENT AND [PROPOSED] ORDER to notify the Court that the parties modified their Settlement and Release Agreement to extend payments through and including June 30, 2017, and that the parties are requesting 45 days from that date to file a dismissal.

Dated: September 30, 2016

STRUCTURE LAW GROUP, LLP

By: /s/ Jaclyn M. Ford  
Jaclyn M. Ford, Esq.  
Attorneys for Plaintiff  
VIVOTEK USA, INC.

Dated: September 30, 2016

RIMON, P.C.

By: /s/ Richard Mooney  
Richard Mooney, Esq.  
Attorneys for Defendants  
4XEM CORPORATION, INC. and JOHN  
FORTIER

**SIGNATURE CERTIFICATION**

Pursuant to Local Rule 5-1(i)(3), I certify that the content of this document is acceptable to Richard Mooney of RIMON, P.C., counsel for Defendants 4XEM CORPORATION, INC. and JOHN FORTIER, and that I have obtained Mr. Mooney's authorization to affix an electronic signature to this document.

Dated: September 30, 2016

STRUCTURE LAW GROUP, LLP

By: /s/ Jaclyn M. Ford  
Jaclyn M. Ford, Esq.  
Attorneys for Plaintiff  
VIVOTEK USA, INC.


**ORDER**

Based on the foregoing Stipulation and good cause appearing:

Provided all conditions of the conditional settlement are met, the parties shall file a dismissal with prejudice of this action in its entirety not later than 45 days after the final payment is made by Defendants. If the conditions of the conditional settlement are not met, Plaintiff VIVOTEK USA, INC. shall be entitled to submit to the Court for its consideration the parties' [PROPOSED] STIPULATED JUDGMENT.

IT IS SO ORDERED. Parties shall file their Dismissal with prejudice by August 15, 2017.

Dated: September 30, 2016

  
\_\_\_\_\_  
Hon. Maria-Elena James  
U.S. District Judge